IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY NINTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI BILAL NAZKI

THE ACTING CHIEF JUSTICE

and
THE HON'BLE SRI JUSTICE G.CHANDRAIAH

WRIT PETITION No. 13916 of 2005

Between:

1. Mummidi Raju S/o. Late Venkanna
Raghavapuram Village, Ragavapuram Panchayat Korukonda Mandal, East Godavari District.
2. Venka Suryanarayana S/o. Late Appa Rao
Raghavapuram , Ragavapuram Panchayat limits, Korukonda Mandal, East Godavari District.

..... PETITIONERS

AND

1. The Government of A.P. Rep. by the District Collector, East Godavari District, Kakinada,
E.G. District.
2. The Divisional Panchayat Officer, Panchayat Raj Department,
Rajahmundry, E.G. District.
3. The Gram Panchayat, represented by Secretary, Raghavapuram Gram Panchayat,
Korukonda Mandal, East Godavari District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a WRIT OF MANDAMUS declaring the inaction of the respondents 1 to 3 against the representation dated 17-1-2004 as illegal, arbitrary and unconstitutional

and consequently direct the Respondents 1 to 3 to implement the Raghavapuram Gram Panchayat Resolution 13 dated: 1-11-1989 and resolution No. 8 dated 4.6.1990 and to direct the respondent 1 to 3 to keep Nukanna Cheruvu in R.S.No. 68/1 in an extent of 5 Ac. 33 cents in Raghavapuram Panchayat limits Korukonda Mandal, E.G. District and pass such other order or orders as the Hon'ble Court may deem fit and proper in the interests of justice directing the respondents to keep Nukanna Cheruvu intact as drinking water tank in the interest of justice.

Counsel for the Petitioner: GULLAPALLI RADHAKRISHNAN

Counsel for the Respondents 1 & 2: GP FOR PANCHAYAT RAJ & RURAL DEVEVELOPMENT .

The Court made the following :

ORAL ORDER:

(per Honourable Sri Bilal Nazki, the Acting Chief Justice)

The grievance of the petitioners is that resolutions of the Gram Panchayat are not being implemented and they had made a representation to the Collector and the Divisional Panchayat Officer as early as on 17.1.2004, but, the matter has not been decided so far.

After hearing the learned counsel for the respondents, we feel it appropriate to dispose of the writ petition at this stage directing the respondents to consider the representation of the petitioners with respect to enforcement of Gram Panchayat Resolutions. The matter shall be decided by the respondents within a period of two weeks from the date of receipt of a copy of this order.

The Writ Petition is disposed of accordingly.

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BILAL NAZKI, ACJ.

29.6.2005.

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G.CHANDRAIAH, J.

VR.

NOTE:

Issue cc tomorrow.

(BO)

To

1. The District Collector, East Godavari District, Kakinada,
E.G. District.
2. The Divisional Panchayat Officer, Panchayat Raj Department,
Rajahmundry, E.G. District.
3. The Secretary, Gram Panchayat, Raghavapuram Gram Panchayat, Korukonda Mandal, East Godavari District.

4. Two CCs to Government Pleader for Panchayat Raj & Rural Development, High Court Buildings, Hyderabad (OUT).

5. Two CD copies.